

cel



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/011,544	12/05/2001	Tim J. Nohara	RNS S45-003	7731

7590 09/15/2005

R. Neil Sudol
COLEMAN SUDOL SAPONE, P.C.
714 Colorado Avenue
Bridgeport, CT 06605-1601

EXAMINER

HA, DAC V

ART UNIT	PAPER NUMBER
----------	--------------

2634

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/011,544

Applicant(s)

NOHARA ET AL.

Examiner

Dac V. Ha

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-, 6, 8-11, 13, 14, 16, 18-20, 24-27, 30, 31, 34, 36, 41-43 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 12, 15, 17, 21, 22, 28, 32, 33, 35, 37-40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed on 07/11/05.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-3, 8-11, 16, 18, 41-43** are rejected under 35 U.S.C. 102(b) as being anticipated by Petry.

Regarding claim 1, Petry discloses the claimed subject matter in claim 1 including “a signal detector” in Figure 1, element 6; “a signal extractor operatively connected to said signal detector and connectable to said wideband receiver for performing signal extraction directly on a wideband signal output of said receiver and for performing said signal extraction only upon detection of at least one signal by said signal detector” in Figure 1, element 10; col. 3, line 40 to 4, line 17. Further, it is inherent that there’s present a plurality of signals received by the receiver since signals over the air space would include, among other signals, at least interference signals. However, only the signal desired for interception by the receiver is detected.

Regarding claims 2, 9, see claim 1.

Regarding claim 10, see claim 2 above.

Regarding claim 3, Petry further discloses “said means ... wideband signal output” in col. 3, lines 1-24.

Regarding claim 11, see claim 3 above.

Regarding claim 8, Petry further discloses the claimed subject matter “a buffer connectable to said receiver on one side and connected to said detector and said extractor on another side” in Fig. 1, element 8.

Regarding claim 16, see claim 8 above.

Regarding claim 18, Petry further discloses the claimed subject matter “wherein ... wideband signal output” in Figure 1, elements 6, 10.

Regarding claim 41, Petry further discloses the claimed subject matter “a buffer ... another side” in Figure 1, element 8.

Regarding claim 42, see claim 41 above.

Regarding claim 43, in Petry, all signals are “detected”.

5. **Claims 19, 20, 24, 25, 30, 31** are rejected under 35 U.S.C. 102(b) as being anticipated by Kotzin.

Regarding claim 19, Kotzin discloses the claimed subject matter “a digital filter bank generating a coarsely sampled or decimated time-frequency representation of a wideband signal output of a wideband receiver of said wideband intercept receiver system, said time-frequency representation being coarsely sampled or decimated in a time domain and fully represented in a frequency domain” in Figure 1, elements 104, 116; Figure 2; Figure 5; col. 5, line 48 to col. 6, line 51; and “a signal detection component operatively connected to said digital filter bank for analyzing said time-

frequency representation to detect presence of a signal” in Figure 1, element 120; col. 6, lines 55-65.

Regarding claim 24, see claim 19.

Regarding claim 20, Kotzin further implies the teaching of “wherein said digital filter bank includes means for performing a sequence of windowed FFTS on samples of said wideband signal output” in col. 10, lines 43-45.

Regarding claim 25, Kotzin further discloses the claimed subject matter “further ... detected signal” in col. 7, lines 21-38.

Regarding claim 30, Kotzin further discloses the claimed subject matter “wherein ... filter bank” in Fig. 2.

Regarding claim 31, see claim 20.

Regarding claim 35, the claimed subject matter “wherein ... time and frequency” is inherent from Kotzin.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 5, 6, 13, 14** rejected under 35 U.S.C. 103(a) as being unpatentable over Petry in view of Kotzin.

Regarding claim 5, Petry discloses all the claimed subject matter in claim 1, as stated above, except for the claimed subject matter “wherein said means for generating includes a digital filter bank”. However, in the same field of endeavor, Kotzin discloses the use of such “digital filter bank” is an option in Figure 1, elements 104, 116.

Regarding claim 13, see claim 5 above.

Regarding claim 6, Petry further discloses the claimed subject matter “wherein said digital filter bank includes means for performing a sequence of windowed FFTS on samples of said wideband signal output” in col. 3, lines 11-24.

Regarding claim 14, see claim 6 above.

8. **Claims 26, 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin.

Regarding claim 26, the claimed subject matter “wherein the estimating ... detected signal” would have been realized by one skilled in the art as an option based on Kotzin.

Regarding claim 27, the claimed subject matter “wherein ... bandwidth” would have been obvious to one skilled in the art.

9. **Claims 34, 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin in view of Petry.

Regarding claim 34, Kotzin discloses all the claimed subject matter in claim 34, as stated above, except for the claimed subject matter “temporarily storing ... representation”. However, the same field of endeavor, Petry discloses the use of a

storage device in Fig. 1, element 8, as option. Thus, such claimed subject "temporarily storing ... representation" would have been optional to one skilled in the art.

Regarding claim 36, Petry further discloses the claimed subject matter "extracting ... output" in Figure 1, element 10.

Allowable Subject Matter

10. Claims 4, 7, 12, 15, 17, 21, 22, 28, 29, 32, 33, 37-40 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dac V. Ha whose telephone number is 571-272-3040. The examiner can normally be reached on 5/4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Dac V. Ha', with a horizontal line drawn underneath the signature.

Dac V. Ha
Primary Examiner
Art Unit 2634